

APPRENTICESHIP STANDARDS

FOR

(TRADE)

Formulated By

(COMPANY NAME, ADDRESS, CITY, ZIP)

Registered With The

APPRENTICESHIP AND TRAINING PROGRAM

WORKFORCE SERVICES DIVISION

MONTANA DEPARTMENT OF LABOR AND INDUSTRY

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Original Registration Date:

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SAMPLE

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Attached:

Trade Schedule Supplement

Schedule of Work Experience

Appendix A (Supplemental Related Instruction Schedule)

DEFINITIONS

STANDARDS: Or, Standards of Apprenticeship means this entire document including the attached "Trade Schedule(s)".

APPRENTICE: Means a person meeting the qualifications described in Section II of these Standards who has entered into a written Apprenticeship Agreement providing for learning and acquiring the skills of a recognized trade under the provisions of these Standards.

APPRENTICESHIP AGREEMENT: Means the written document between the apprentice and the Sponsor setting forth the responsibilities and obligations of both with respect to the apprentice's employment and training under these Standards.

REGISTRATION AGENCY: Means the Apprenticeship and Training Program, Workforce Services Division, Montana Department of Labor and Industry.

PROGRAM SPONSOR: Means the Employer operating the apprenticeship program.

GENDER CLAUSE: Any reference to either the male or female gender in these Standards is intended to include both genders and is not to be considered as a limitation on either sex. The term journeyman (men) within these Standards shall be considered a performance level and not a gender term.

1. PURPOSE

- A. To encourage careful selection of persons entering the trade with due regard to health, physical fitness, aptitude, attitudes and personal characteristics.
- B. To provide an approved plan of training which will equip such persons for profitable employment.
- C. To relate the future supply of skilled workers to probable employment demands.
- D. To assure that the employer may obtain the services of proficient crafts workers.
- E. To provide the public with the highest possible grade of products and services in conformity with approved practices of safety and job skills.

2. QUALIFICATIONS FOR APPRENTICESHIP ENTRY

A. Applicants accepted and registered as apprentices shall meet the following basic qualifications:

1. Age: Shall be at least 18 years of age.
2. Physical: Shall be physically able to perform the essential functions of the occupations without endangering the health and safety of themselves and/or fellow workers. Physical qualification will be determined by the employer through visual examination and discussion when the applicant is evaluated.
3. Education: HIGH SCHOOL GRADUATE OR GED
4. Aptitude: Shall possess the basic aptitudes essential for acquiring the skills and proficiency of the occupation.

3. APPRENTICE SELECTION:

- A. Pledge: The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, color, religion, national origin or sex. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, Part 30, as amended, and the Montana Plan for Equal Employment Opportunity in Apprenticeship. If five (5) or more apprentices are employed, the program sponsor will submit a written Selection Procedure and Affirmative Action Plan in conformity with the above regulations.
- B. Maintenance of Records: Records relating to recruitment, selection, employment and training and any other information relevant to the operation of the program shall be maintained for five (5) years. The records shall permit identification of minority and female (minority or non-minority) participants. The records will be made available on request to the Registration Agency or the Bureau of Apprenticeship and Training, U.S. Department of Labor, or other authorized representative as may be required by the Registration Agency or other applicable laws.

4. TERM OF APPRENTICESHIP

The term of apprenticeship shall be a period of reasonably continuous employment and training on the job as stated on the attached "Trade Schedule" for the trade or craft concerned, supplemented by the required hours of related instruction.

5. CREDIT FOR PREVIOUS EXPERIENCE

An applicant who has had training or experience in the trade or craft may be granted full or partial credit for the training or experience on the recommendation of the program sponsor and with the approval of the Registration Agency. Applicants requesting credit for previous training or experience must substantiate such claims. This credit may be granted at the beginning of the Apprenticeship or at a later date. Apprentices receiving credit for previous experience or training shall be paid the wage scale of the period to which such credit advances them.

6. PROBATIONARY PERIOD

THE FIRST (HOURS) of employment for the apprentice, after signing the apprenticeship agreement, shall be a probationary period.

During this period either party may make the termination or cancellation of the apprenticeship agreement to the agreement without stated cause. After the probationary period, the agreement may be cancelled at the request of the apprentice, or may be suspended, cancelled, or terminated by the sponsor, for good cause, with due notice to the apprentice and a reasonable opportunity for corrective action, and with written notice to the apprentice and to the registration agency of the final action taken. The probationary period shall be part of the term of apprenticeship.

7. APPRENTICESHIP AGREEMENT

Each apprentice, and their parent or guardian, if they are minors, shall enter into a written "Apprenticeship Agreement" with the sponsor.

Each agreement and subsequent actions affecting the agreement shall be registered with the Registration Agency.

The Apprenticeship Agreement shall contain a clause making the terms and conditions of these apprenticeship standards a part of each agreement. For this reason, every apprentice shall read these standards before signing the agreement.

The following parties shall receive a copy of the agreement properly completed and signed:

1. The Apprentice
2. The Sponsor
3. The Registration Agency

Violation of the agreement or terms and conditions of these Standards by the apprentice will constitute just cause for cancellation, suspension, or extension of the agreement. If an employer is unable to fulfill this obligation under the apprenticeship agreement, he may transfer the obligation to another employer, with written notice to the registration agency, if the other employer has been approved as a registered apprenticeship training facility.

The registration agency may refuse to register an apprentice whenever any part or section of this program is not in compliance.

8. REINSPECTIONS

Continued recognition of this apprenticeship program by the registration agency is subject to periodic evaluation by a representative of the Montana Apprenticeship and Training Program, Montana Department of Labor and Industry or a representative of the Office of Apprenticeship, U.S. Department of Labor. These evaluations allow the Program to determine the progress of the apprentice in related instruction, work performance and to ensure there is on-going maintenance of the appropriate progress records. The evaluations will further ensure that the registered sponsor is administering the apprenticeship program in compliance with these standards.

All parties signatory to the apprenticeship agreement and these standards will be reasonably responsible in cooperating with the registration agency for scheduling necessary periodic program evaluations.

9. WORK EXPERIENCE AND TRAINING

During the apprenticeship, the apprentice shall receive such experience and instruction in all branches of the trade as are necessary to develop a practical and skilled worker versed in the theory and practices of the trade. The apprentice shall perform such other duties in the shop as are commonly related to the apprenticeship.

The "Schedule of Work Experience" for each trade is shown on the applicable "Trade Schedule" attached to and forming a part of these standards. It is understood that the sequences of training experiences will be governed by the flow of work in the shop. Appropriate instructions in safe work practices and habits shall be included with each unit of job training.

10. RELATED INSTRUCTION

In addition to their work on the job, provision shall be made for apprentices for organized, related and supplemental instruction in technical subjects related to the trade. A minimum of 144 hours for each year of apprenticeship is recommended.

Such related and supplemental instruction may be given by classroom instruction, correspondence course, home study, or other form of approved self-study. Apprentices shall not be paid for hours spent in classes of related instruction, and this time shall not be considered as hours of work except where classes are held during regular working hours. Safety shall also be taught in related classes. The supplemental related instruction schedule for each trade covered in these standards is stated in Appendix A.

Periodic review and evaluation of the apprentice's progress shall be made and grades and attendance shall be filed in the apprentice's individual file.

Failure on the part of the apprentice to fulfill their related training and/or attendance obligations or their failure to maintain passing grades therein, shall constitute adequate cause for cancellation of their apprenticeship agreement.

11. SAFETY AND HEALTH TRAINING

The employer shall instruct the apprentice in safe and healthful work practices and shall insure that the apprentice is trained in facilities and other environments that are in compliance with either the occupational safety and health standards promulgated by the Secretary of Labor, or State Standards that have been found to be at least as effective as the Federal Standards.

12. SUPERVISION OF APPRENTICES

To assure complete all around training at the trade apprentices shall be assigned to competent journeymen who will be responsible for the direct supervision and instruction of the apprentice's on-the-job training consistent with the following practices:

Supervision Required (1) A qualified journeyworker or master must supervise the work of an apprentice in the proper ratio prescribed in the registered standard. Supervision means the following:

(a) A journeyworker or master must be assigned to the job site and be able to give direction and check the work of the apprentice except during absences as required in the scope of business and otherwise provided in this chapter.

(2) Except as otherwise provided in this chapter, an apprentice may not work without supervision of a journeyworker or master while engaging in an activity covered by the apprenticeship agreement or registered apprenticeship standards of the sponsor.

(3) Sponsors employing apprentices in occupations that require a residential focus may work an apprentice in areas of experience with limited supervision based on prior performance and a demonstration of competency.

(4) An apprentice who has completed no less than 70% of the apprentice's required term and is completely current with related instruction may work with limited supervision. The apprentice's work must be physically examined on a daily basis by a journeyworker or master for correctness.

(5) During the last 20% of the apprenticeship term, an apprentice who is completely current with required related instruction may work without supervision, provided that the apprentice's work will be physically examined weekly by a journeyworker or master, and provided that the apprentice's prior performance demonstrated sufficient competence to perform the work. Administrative Rule of Montana (ARM) 24.21.1002

13 APPRENTICE WAGE SCHEDULE

Apprentices shall be paid a progressively increasing schedule of wages for each hour spent on the job during the apprenticeship, based on the acquisition of increased skill and competence as the training progresses.

The wage schedule for each trade covered in these Standards is stated on the applicable "Trade Schedule" attached to the back of these Standards.

At no time will the starting wage be less than the current minimum wage as set by the Secretary of Labor or that set by applicable Montana State laws.

All wages and working conditions must be consistent with those recognized by the Registration Agency.

Wages any veteran receives while in training will be no less than those paid a non-veteran under the same conditions.

14. RATIO OF APPRENTICES TO JOURNEYMEN

Only that number of apprentices will be employed as can be given proper supervision, training, and safe working conditions and can be assured of reasonable opportunity for employment on the completion of the apprenticeship. The ratio shall apply to individual work sites.

The ratio shall be as stated on the applicable "Trade Schedule" attached to and made a part of these Standards. An apprentice that meets the following criteria is not counted when computing the apprentice to journeyworker ratio. An apprentice that has completed 80% or more of the on-the-job training hours and related instruction in an apprenticeship program lasting more than 8,000 hours; or and apprentice that has completed 75% or more of the on-the-job training hours and related instruction in an apprenticeship program lasting less than 8,000 hours. The apprentice to journeyworker ratio applies to individual work sites as well as the entire firm or operation of the registered apprenticeship sponsor.

15. RATIO WAIVER PROCESS

The registration agency may consider waiver of ratio standards only if the registered apprenticeship sponsor is in full compliance with the registered standards and there are no outstanding complaints directly related to the specific registered apprenticeship program. The registration agency may waive the ratio standards for a registered apprenticeship sponsor who demonstrates the need for a waiver by documented proof as specified in ARM 21-24.415.

16. HOURS OF EMPLOYMENT

Hours of work for apprentices shall be the same as the hours of work for journeymen and other conditions for apprentices shall be the same as for journeymen within the Sponsor's work force doing comparable work.

17. APPRENTICE RECORDS

The Sponsor shall maintain complete records on each apprentice, covering all details of their apprenticeship, including on-the-job training reports, attendance, and progress in related instruction.

Each apprentice shall be responsible for maintaining a record of work experience and shall have this record verified by the Job Supervisor and turned into the employer as required by the Registration Agency.

18. CERTIFICATE OF COMPLETION OF APPRENTICESHIP

Upon satisfactory completion of the requirements of apprenticeship as established in these Standards, the Sponsor shall notify the Registration Agency requesting that a "Certificate of Completion of Apprenticeship" be issued in the name of the apprentice.

19. ADJUSTMENT OF DIFFERENCES

Apprentices are encouraged to discuss individual problems or grievances with their supervisor and/or Sponsor. Either the apprentice or the Sponsor may request assistance from the Registration Agency on problems or adjusting differences that may arise during the term of apprenticeship.

20. CONTINUITY OF EMPLOYMENT

The program sponsor intends and expects to give the apprentice steady employment. The Sponsor reserves the right, however, to suspend apprentices either entirely or in part whenever conditions of business make it necessary.

The apprentice will have reasonable assurances of continuity of employment for the term of the apprenticeship and upon the satisfactory completion thereof, reasonable assurance of continued employment as a skilled worker.

Before a Sponsor may indenture a new apprentice the Sponsor shall offer the rehire any apprentice that had worked for the Sponsor, but had been laid off or terminated without good cause.

21. REGISTRATION, CANCELLATION, AND MODIFICATION OF STANDARDS

These Standards of Apprenticeship are registered by the Registration Agency as meeting the requirements set forth in CFR 29, Part 29, and the Montana regulation for apprenticeship registration and may be cancelled or deregistered upon becoming deficient only after proper notification to the program sponsor to correct such deficiencies has been made and those deficiencies not corrected.

The Standards may be revised or modified from time to time as business conditions or experience demand; such revisions or modifications shall be registered with the Registration Agency before being placed in effect. No revision or modification in the Standards shall alter an Apprenticeship Agreement in force at the time of such change without the consent of all parties to the agreement.

A copy of each amendment adopted will also be furnished to each apprentice employed by the Sponsor.

22. COMPLAINT PROCEDURE

- A. Any apprentice or applicant for apprenticeship who believes that he or she has been discriminated against on the basis of race, color, religion, national origin or sex may file a complaint with the Registration Agency as per EEO and Affirmative Action procedures.
- B. A dispute or complaint involving an apprenticeship agreement subject to the jurisdiction of the Apprenticeship & Training Program (registration agency) may be filed with the Apprenticeship & Training Program, Department of Labor and Industry, PO Box 1728, Helena, MT 59624-1728, telephone (406) 444-3998, or fax to (406) 444-3037. The Complaint Process will be followed as specified in ARM 24-21.416.

23 SEXUAL HARASSMENT

It shall be the policy of this Sponsor to prohibit sexual harassment in the work place. As defined by the United States Equal Opportunity Commission: Sexual harassment is the unwelcome or unsolicited verbal, physical, or sexual conduct that is made a term or condition of employment, is used as a basis for employment or advancement decisions, or has the effect of unreasonably interfering with work or creating an intimidating, hostile, or offensive work environment.

The Sponsor will take whatever actions are necessary to preclude incidents of sexual harassment from occurring so that all Apprentices are afforded the opportunity to work in an environment free from unsolicited, unwelcome, sexual overtones.

All Apprentices are expected to support the efforts of the Sponsor by fostering an open and friendly work environment, yet one free of inappropriate pressures for all members of the work force.

Complaints of sexual harassment in the work place may be filed and processed under Title 29, CFR Part 30, the Montana State Plan for Equal Employment Opportunity in Apprenticeship, and the procedures set forth in Section 20 of these Standards.

24. CONSULTANTS

Representatives of the Apprenticeship and Training Program, Workforce Services Division, Montana Department of Labor and Industry or the Bureau of Apprenticeship and Training, U.S. Department of Labor, or other agencies or persons who may be called upon for advice or assistance in the formulation and operation of this apprenticeship program shall be known as consultants.

25. APPROVAL AND ADOPTION

These Standards of Apprenticeship and all terms and conditions contained herein are accepted as the system by which apprentices are to be trained and are hereby approved and adopted as the policy and program of training of apprentices.

26. NOTIFICATION TO REGISTRATION AGENCY

The Registration Agency shall be advised of new hires, completions, cancellations and suspensions of Apprenticeship Agreements, through the apprenticeship agency servicing the program. Reasons for cancellations and suspensions will be given.

NOTE: (REGISTRATION OF THIS APPRENTICESHIP PROGRAM BY THE DEPARTMENT WILL NOT INTERFERE WITH NOR MODIFY IN ANY WAY THE PROVISIONS OF ANY COLLECTIVE BARGAINING AGREEMENT TO WHICH THE EMPLOYER OR HIS EMPLOYEES ARE SIGNATORY PARTIES, NOR WILL SUCH REGISTRATION MODIFY ANY LAW, FEDERAL OR STATE, WHICH MAY APPLY TO THE EMPLOYER OR HIS EMPLOYEES.)

SPONSOR: _____

BY: _____

TITLE: _____

DATE: _____

APPRENTICESHIP AND TRAINING PROGRAM
WORKFORCE SERVICES DIVISION
DEPARTMENT OF LABOR AND INDUSTRY

SURVEYED BY: (FIELD REP)

TITLE: PROGRAM SPECIALIST

REMARKS:

REQUIRED RELATED INSTRUCTION WILL BE PROVIDED THROUGH AN APPROVED HOME STUDY COURSE AND THE SPONSOR AND THE APPRENTICE (S) WILL BE RESPONSIBLE FOR ALL COST OF THE RELATED INSTRUCTION IN ACCORDANCE WITH THE COST OPTION SELECTED ON THE ATTACHED SHEET OR A PREVOIUSLY APRPROVED COST SHARING AGREEMENT.

SAMPLE